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SUBJECT: WHEN THE THIRST FOR POWER TRUMPS CPA COMMITMENTS

Refs: A. Khartoum 575
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SUMMARY

11. (SBU) The GoSS' reluctance to carry out the census in the South (and its latest statement that it reserves the right to dispute the census results) indicates that it is fearful that the actual size of the population in the South and NCP manipulation of the census process will result in less than the one third figure that CPA power sharing formulas are based on. Anything less than one third of the total population will negatively affect its power-sharing arrangements at a national level. In fact, the Southern population may well be lower than most in the GOSS think (UNFPA mapping indicates that it may be as low as 18%) but even if the census is not manipulated and accurately reflects a lower population count, the GOSS will not believe or accept that the results have not been tampered with. Other opposition parties have rebuked the GoSS' decision and are skeptical of its aims. Donors, who have been scratching their heads to figure out what went wrong, are beginning to grasp the dynamics of the reasons behind the GoSS' reluctance. At the same time, they look back at the USD 60 million they spent over the past 2.5 years to prepare the South for this important CPA benchmark and wonder what other surprises the NCP and the SPLM have in store in advance of the 2009 elections. End comment.

GOSS PROVISIONALLY SUPPORTS NEW CENSUS DATE

12. (SBU) On 16 April, the Government of Southern Sudan (GoSS) Council of Ministers issued a press release regarding its decision to go forward with the national census on 22 April provided certain conditions are met (ref A). GoSS President Salva Kiir Mayardit discussed with the GoSS ministers his 13 April meeting with the Presidency in Khartoum and convinced the GoSS to support the new census date in light of some "positive proposals" by the NCP to resolve Southern census concerns. The GoSS' acceptance of moving forward with the census, however, comes with caveats. Furthermore, the GoSS expressed doubt that its census concerns could be met by the new census date. If its concerns are not met, the GoSS announces the Presidency may have to "extend the deferment period or extend the counting period in Southern Sudan." Furthermore, the GoSS makes it clear that under what it deems "the current incomplete status of preparedness for a successful outcome" of the census, it "reserves the right to have an opinion on the general outcome of the census results."

13. (SBU) [Background Note: In its 12 April Press Conference on Deferment of the Census, the GoSS stated six reasons for its decision to postpone the census in the South: the inability of Southern IDPs to return to the South and thus be counted as part of the South's population, the absence of questions on ethnicity and

religion on the questionnaires, the "slow, untimely, and inadequate" flow of census funds to the South, particularly for security of census officials, the non-demarcation of the North-South border, insecurity along the North-South border, and the security situation in Darfur which will prohibit many in Darfur from participating (ref B). In a press statement from the GNU Presidency issued on 14 April, it responded to the GoSS' concerns by: postponing the census until 22 April all over the country, directing the "GNU, GoSS, and specialized bodies" to work together to remove obstacles that block the voluntary return of IDPs and ensure their safety, instructing "all levels of the government" to provide the necessary resources for the census, and directing "specialized bodies" to use the questionnaires, their results, and the resulting analyses to "grasp the scope of the cultural and social diversity in the country." End note.]

OPPOSITION PARTIES REACT

¶4. (SBU) Poloff spoke to various opposition parties to gain a perspective on the GoSS reluctance to hold the census in the South. Mr. Tag el Sir Mohamed Saleh, Deputy Secretary General of the Democratic Unionist Party (DUP)(Mirghani Faction) said that "it has been known from the beginning that the census is a part of the Comprehensive Peace Agreement (CPA). The GoSS knew it was coming; it can't blame anybody for census unpreparedness when it had 3 years to prepare." He went on to say, "The SPLM is concerned that the census might make their share of power and wealth very thin; that's why they are trying to avoid it." Saleh said that a solution to the census crisis will only be reached if there is NCP-SPLM dialogue and if CPA guarantors, especially the USA, assist. Muez Hadret, member of DUP (Hassanain Faction) Legislative Committee said that his party supports the demands of the SPLM, but disagrees with the timing of these demands. "The SPLM is fully responsible for implementing the

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CPA as much as the NCP is." He criticized the SPLM and the GoSS for not expressing their census concerns until the last minute. "The census is a very important mechanism of the democratic transformation and there won't be elections without it. If we delay the census, everything else will be delayed." Hadret stated that reaching a compromise is essential to ending the crisis. [Note: Technically, elections could go forward without a census, although the parties would have to broker some kind of political deal for power-sharing before the elections if this were to occur. End Note].

¶5. (SBU) Dr. Bashir Adam Rahma, Deputy Secretary General for Turabi's Popular Congress Party (PCP) commented that, "the five conditions the GoSS put forward for approval of the census are nothing more than a pressure tool on the NCP to meet their [the GoSS'] demands." He warned that a delay of the census means a delay in the democratic transformation of Sudan which will give more time for the current regime to "continue practicing its policies and corruption", as well as, "depriving the Sudanese people from justice and freedom."

DONORS SPIN IN CIRCLES

¶6. (SBU) After spending over two years and USD 60 million to help the South prepare for the census, international donors were surprised and confounded by the GoSS' response to the census. Not only has UNMIS provided the GoSS with many assurances (and a face-saving way out of its 12 April decision, coordinated with Western embassies) that it will address many of its census concerns, other international donors have made joint and bilateral appeals to the GoSS and SPLM members to go forward with the census. Donors point out that the census is an important CPA benchmark on the way towards the 2009 elections and the 2011 referendum. If the census is derailed, there could be serious implications for the movement on the elections and the referendum.

COMMENT

¶7. (SBU) It has become increasingly evident that the GoSS does not want the census to take place out of fear that the NCP will manipulate the process or that the South's real population numbers will be much lower than the GoSS desires, with the result that Southern population numbers will neither enhance, nor sustain, the South's share of power in the GNU National Assembly. Currently, the SPLM and other Southern parties hold one-third of the Parliament's 450 seats. The South's population based on the pre-census household mapping exercise shows that the South only makes up 18 percent of households (which, per UNFPA, can be translated into population) in Sudan. Even if the census accurately shows less than a third of Sudan's population for the South, the SPLM will still believe that it has been cheated. The 16 April GoSS press release indicates that if the GoSS believes the South is undercounted (i.e. - either through NCP manipulation or because the results do not favor them), it reserves the right to reject the census results which, per the CPA, confirm and/or adjust the national power-sharing arrangement. The fundamental lack of trust between the parties means that the census is sure to become a source of conflict and dispute regardless of whether the count is accurate. We expect continued negotiations and surprises before, during, and after the census - if it in fact goes forward as scheduled next week.

FERNANDEZ